



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*86 Chambers Street  
New York, New York 10007*

December 15, 2021

BY ECF

The Honorable Mary Kay Vyskocil  
United States District Judge  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *American Civil Liberties Union, et al. v. United States Department of Justice et al.*,  
19 Civ. 5483 (MKV)

Dear Judge Vyskocil,

This Office represents Defendants in the above-captioned action brought pursuant to the Freedom of Information Act ("FOIA"). On September 27, 2021, the Court issued an opinion and order on the parties' cross-motions for summary judgment and ordered Defendants to produce certain specified documents. Since that time, neither party has filed a notice of appeal, and Defendants have produced the specified documents. Accordingly, the only issue remaining in this litigation is Plaintiffs' request for attorneys' fees.

On December 15, 2021, Plaintiffs provided Defendants with billing records in support of their request for fees. Defendants intend to evaluate this information, and the parties are hopeful that they can resolve this issue without the need for motion practice. However, in order to allow Defendants sufficient time to evaluate this information and seek the necessary settlement approvals, the parties respectfully request that they be permitted to update the Court on the status of their negotiations in 60 days—by February 15, 2022 and that the time to petition the Court for fees be continued.

The parties thank the Court for its consideration of this matter.

Respectfully submitted,

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